

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA**

MALIBU MEDIA, LLC,)	
)	
Plaintiff,)	Civil Case No. <u>1:12-cv-00841-SEB-MJD</u>
)	
v.)	
)	
TOBY REEVES, HAOJIE WANG, DANIEL)	
WATT, CAMERON GAFF, GIANCARLO)	
DI MIZIO JR., ANDREW MCCOY, SEAN)	
MANGYIK, KRISTINE EIKENBERG,)	
RAMAKANT MAMIDIDODDI and JOHN)	
DOES 1, 2, 3, 4, 5, 6, 10, 12, 13, 16, 19, 21, 22)	
and 23.)	
)	
Defendants.)	
)	

**PLAINTIFF'S SECOND MOTION FOR EXTENSION OF TIME WITHIN WHICH
IT HAS TO SERVE DEFENDANTS WITH A SUMMONS AND COMPLAINT**

Pursuant to Fed. R. Civ. P. 4(m), Plaintiff, Malibu Media, LLC, moves for entry of an order extending the time within Plaintiff has to serve Defendants with a Summons and Complaint, and states:

1. Pursuant to this Court's order dated October 17, 2012, Plaintiff has until today, November 6, 2012 to effectuate service on the Defendants [Dkt. 42].
2. On September 27, 2012, Plaintiff amended its Complaint to name the Defendants for which it had received the identifying information from the ISPs.
3. On October 11, 2012, Plaintiff filed proposed summonses for each of the names Defendants, to be issued by the clerk. The summonses were issued by the Clerk on October 30, 2012.
4. Immediately upon receipt of the Clerk-issued summonses, Plaintiff forwarded them to its process server to commence service on the Defendants.

5. To date, Plaintiff has effectuated service on five of the nine named Defendants: (1) Toby Reeves was served on November 3, 2012; (2) Cameron Gaff was served on November 1, 2012; (3) Giancarlo Dimizio, JR was served on November 2, 2012; (4) Andrew McCoy was served on November 4, 2012; and (5) Ramakant Mamididoddi was served on November 3, 2012.

6. Plaintiff is still in the process of serving the remaining Defendants.

7. Procedurally, Plaintiff respectfully requests that the time within it must effectuate service of a summons and Complaint on Defendants be extended an additional fourteen (14) days, or until November 20, 2012.

WHEREFORE, Plaintiff respectfully requests that the time within it must serve the Defendants with a summons and Complaint be extended until November 20, 2012. A proposed order is attached for the Court's convenience.

Dated: November 6, 2012

Respectfully submitted,

NICOLETTI & ASSOCIATES, PLLC

By: /s/ Paul J. Nicoletti
Paul J. Nicoletti, Esq. (P44419)
36880 Woodward Ave, Suite 100
Bloomfield Hills, MI 48304
Tel: (248) 203-7800
Fax: (248) 203-7801
E-Fax: (248) 928-7051
Email: paul@nicoletti-associates.com
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on November 6, 2012, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ Paul J. Nicoletti